

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.710 of 2021

In

Civil Writ Jurisdiction Case No.6126 of 2013

Sanjay Ram, Son of Jeeta Ram, Resident of Village- Ubhawa Sargunja, P.S.
Panapur, District- Saran (Chapra).

... .. Appellant/s

Versus

1. The State of Bihar.
2. The District Teachers Appellate Authority, Saran at Chapra.
3. Mukhiya, Gram Panchayat Raj Chakia, P.S. and Block Panapur, District- Saran (Chapra).
4. Panchayat Secretary, Gram Panchayat Raj Chakia, P.S. and Block Panapur, District- Saran (Chapra).
5. Radhey Shyam Paswan Son of Ambika Manjhi Resident of Village- Serukahan, P.S.- Mashrakh, District- Siwan.
6. Kanhaiya Ram Son of Raghunath Ram Resident of Village- Khajuri, P.S.- Panapur, District- Saran, Chapra.
7. Lalan Ram Son of Shivji Ram Resident of Village- Chakia, P.S. Panapur, District- Saran at Chapra.
8. The Principal Secretary, Vigilance Deptt., Bihar, Patna.

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Subodh Prasad, Advocate Mr. Kapil Deo Singh, Advocate
For the State	:	Mr. Prabhat Kr. Verma (AAG-3) Mr. Saroj Kr. Sharma, AC to AAG-3 Dr. Anand Kumar, AC to AAG-3
For the Resp. nos. 5 & 6	:	Mr. Gyan Prakash, Advocate
For the Vigilance	:	Mr. Anil Singh, Advocate

CORAM: HONOURABLE THE ACTING CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL JUDGMENT

(Per: HONOURABLE THE ACTING CHIEF JUSTICE)

Date : 10-02-2025

Heard Mr. Subodh Prasad, the learned

Advocate for the appellant, Mr. P.K. Verma, the learned



AAG-3 for the State, Mr. Gyan Prakash, the learned Advocate for respondent Nos. 5 and 6 and Mr. Anil Singh, the learned Advocate for the Vigilance Department.

2. The appellant was an unsuccessful candidate in the selection of Panchayat Teacher which was concluded in the year 2006. Against such exclusion of the appellant from being considered favourably and appointed, he preferred an appeal before the District Teachers Appellate Authority in 2011, after a lapse of about five years. The District Teachers Appellate Authority did not entertain the petition on the ground of laches.

3. The appellant challenged the order of the District Teachers Appellate Authority before this Court vide C.W.J.C. No. 6126 of 2013, which too was dismissed vide judgment dated 24.11.2021.

4. It appears from the records that the selection process was concluded in 2006. The appointees have been rendering their services for the last 18 to 19



years. There had been allegations in the past that the entire process was vitiated by fraud and bungling, but notwithstanding the lodging of the F.I.R. against some of the functionaries of the Panchayat Niyojan Units, the appointment of those teachers were never disturbed.

5. Entertaining any appeal by the District Teachers Appellate Authority at that late stage would have definitely upturned the apple cart and, therefore, we do not find any fault with the decision of the District Teachers Appellate Authority in non-suiting the appellant.

6. The learned Single Judge also agreed with the view of the District Teachers Appellate Authority.

7. The law is well-settled that the Court has to see whether the petitioner/appellant has been indolent or lethargic or unconcerned about his own rights. Entertaining any petition after a long lapse of time would only bring in its train more inconsistencies and confusion which would upset the entire process which was taken to a logical conclusion.



8. We find force in the judgment of the learned Single Judge in not interfering with the decision of the District Teachers Appellate Authority, rejecting the case of the appellant on grounds of limitation.

9. The appeal is dismissed.

(Ashutosh Kumar, ACJ)

(Partha Sarthy, J)

Anushka/Rajesh

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	12.02.2025
Transmission Date	

